

Message Text

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PAGE 01 STATE 001527
ORIGIN EB-08

INFO OCT-01 ARA-10 ISO-00 CAB-02 DOTE-00 CIAE-00
COME-00 DODE-00 INR-07 NSAE-00 FAA-00 L-03 /031 R

DRAFTED BY EB/OA/AN:ARIMAS:LR
APPROVED BY EB/TCA:JBILLER
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CAB:DLITTON (INFO)
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-----070065 042347Z /64
P 042301Z JAN 78
FM SECSTATE WASHDC
TO AMEMBASSY MEXICO PRIORITY

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FOR J. STEINMETZ, TCO

E.O. 11652: N/A

TAGS: EAIR, MX, US

SUBJECT: US-MEXICO CIVAIR AGREEMENT

1. EMBASSY IS REQUESTED TO DELIVER TO CENDEJAS
LETTER FROM USDEL CHAIRMAN, JOEL BILLER PROPOSING
CERTAIN MINOR REVISIONS IN TEXT OF AGREEMENTS WORKED
OUT DECEMBER 19 IN WASHINGTON. TEXT FOLLOWS PARA 2 BELOW.

2. BEGIN TEXT.
MR. JORGE CENDEJAS QUESADA
DIRECTOR GENERAL OF CIVIL AERONAUTICS
MEXICO CITY

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DEAR JORGE,
IN A REVIEW OF THE TEXT THAT WE INITIALED ON
DECEMBER 19, I NOTICED SEVERAL NON-SUBSTANTIVE ITEMS
THAT I THINK WE SHOULD REVISE OR CORRECT BEFORE THE
AGREEMENT IS FORMALLY SIGNED.

FIRST, YOU HAD PROPOSED AND I AGREED THAT THE LANGUAGE

PERMITTING THE DIVISION OF US ROUTES A-3 AND A-5 SHOULD BE INCLUDED AS PARENTHETICAL STATEMENTS AFTER THE APPROPRIATE ROUTE DESCRIPTION RATHER THAN AS FOOTNOTES TO THE ROUTE SCHEDULE AS A WHOLE. SOMEHOW THIS CHANGE

WAS LOST SIGHT OF DURING THE FINAL TYPING. I SUGGEST THAT IN THE DOCUMENT TO BE FORMALLY SIGNED FOOTNOTE 3 OF THE US ROUTE SCHEDULE BE CHANGED TO A PARENTHETICAL STATEMENT IMMEDIATELY FOLLOWING THE DESCRIPTION OF ROUTE A-3 AND FOOTNOTE 5 BE CHANGED TO A PARENTHETICAL STATEMENT IMMEDIATELY FOLLOWING THE DESCRIPTION OF ROUTE A-5.

SECOND, IN THE ENGLISH VERSION OF THE MEMORANDUM OF UNDERSTANDING RELATING TO CHARTER AIR SERVICES, THE WORD "WILL" APPEARING BEFORE THE COLON OF THE SECOND PARAGRAPH, FIRST SENTENCE, SHOULD BE CHANGED TO "SHALL." ALSO, FOR THE SAKE OF GRAMMATICAL CONSISTENCY, ALL SUBPARAGRAPHS FOLLOWING THE INTRODUCTORY CLAUSE "SPECIFICALLY, EACH PARTY WILL:" SHOULD BEGIN WITH A VERB. THIS REQUIRES CHANGING THE PARAGRAPH ON CUSTOMS EXEMPTION SO THAT IT WOULD READ AS FOLLOWS: "EXEMPT ON A BASIS OF RECIPROCITY FROM CUSTOMS DUTIES, EXCISE TAXES, INSPECTION FEES AND OTHER NATIONAL DUTIES OR CHARGES, AIRLINE SCHEDULES, TRAVEL BROCHURES AND PAMPHLETS, TRAVEL POSTERS, AND OTHER PRINTED LIMITED OFFICIAL USE

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MATTER DIRECTED AT PROMOTING OR FACILITATING INTERNATIONAL TRAVEL OR TOURISM, AND IMPORTED BY THE AIRLINES OF ONE PARTY INTO THE TERRITORY OF THE OTHER PARTY FOR

USE AND DISTRIBUTION THEREIN." THE CURRENT SUBPARAGRAPHS (E), (H), AND (I) DO NOT LOGICALLY FOLLOW THE INTRODUCTORY LANGUAGE OF "...EACH PARTY WILL:". I SUGGEST THAT THEY APPEAR AS NON-LETTERED PARAGRAPHS THREE, FOUR AND FIVE. SUBPARAGRAPH (F) WOULD BECOME (E), AND (G) WOULD BE RELETTERED AS (F). THE ABOVE CHANGES WOULD IMPROVE THE GRAMMAR AND THE ORGANIZATION OF THE MEMORANDUM WITHOUT AFFECTING ITS SUBSTANCE.

LAST, YOU WILL RECALL THAT THE CONCLUSION OF OUR DISCUSSIONS IN WASHINGTON CONCERNING THE USER CHARGE STATEMENT WAS THAT YOU WOULD GIVE US A SIDE LETTER INCORPORATING THE FOLLOWING:

"IN ACCORDANCE WITH ARTICLE 7 OF THE PRESENT AGREEMENT THE CHAIRMAN OF THE MEXICAN DELEGATION STATED THAT IF, IN THE JUDGMENT OF THE CORRESPONDING UNITED STATES AUTHORITIES, THE DESIGNATED SCHEDULED CARRIERS OF THE

UNITED STATES PRESENT INFORMATION INDICATING THE
DESIRABILITY OF AMENDING RATES FOR USER CHARGES AS THEY
APPLY TO AIRPORT SERVICES AND NAVIGATION AIDS, HE
WOULD NOT OBJECT IN ACCORDANCE WITH THE TERMS OF THIS
ARTICLE, AND IF THE UNITED STATES GOVERNMENT SO
REQUESTS, TO HOLDING MEETINGS OF CONSULTATION TO
EXAMINE THIS MATTER, EITHER IN WASHINGTON OR IN MEXICO
CITY."

I SUGGEST THAT IT WOULD BE APPROPRIATE TO DELIVER THE
ABOVE SIDE LETTER AT THE TIME OF IMPLEMENTING THE
AGREEMENT.

BEST WISHES FOR THE NEW YEAR.
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SINCERELY,
JOEL W. BILLER
DEPUTY ASSISTANT SECRETARY FOR TRANSPORTATION,
TELECOMMUNICATIONS, AND COMMERCIAL AFFAIRS. END TEXT. CHRISTOPHER

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Message Attributes

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Concepts: AGREEMENTS
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Copy: SINGLE
Draft Date: 04 jan 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
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ISecure: 1
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